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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,393	03/31/2004	Dai-Liang Ting	10113991	5368

34283 7590 07/26/2006

QUINTERO LAW OFFICE
1617 BROADWAY, 3RD FLOOR
SANTA MONICA, CA 90404

EXAMINER

TON, MINH TOAN T

ART UNIT	PAPER NUMBER
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2871

DATE MAILED: 07/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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10/814393

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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20060713

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Attached is an office action mailed 06/01/06 which was not received by Applicant.


TOANTON
PRIMARY EXAMINER

28

Office Action Summary	Application No.		Applicant(s)	
	10/814,393		TING ET AL.	
	Examiner		Art Unit	
	Toan Ton		2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 March 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 5-10, 12-15 and 18-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Ozawa et al (US 2004/0165130).

Ozawa discloses a transfective liquid crystal display device a method of manufacturing a transfective liquid crystal display device comprising (see at least Figures 1-2): a first substrate; an insulating layer formed on selected regions on the first substrate, the insulating layer having a reflective top surface 45; and a color filter (81, 82) over the first substrate, including over the insulating layer at the selected regions, wherein a thickness of the color filter at the selected regions (81) is thinner than that outside of the selected regions (e.g., 82); a liquid crystal element supported on the color filter on the array substrate; and electrodes (11, 21) operatively coupled to the liquid crystal element.

Ozawa discloses the insulating layer (integrally) including a reflective layer having a reflective top surface 45.

Ozawa discloses the insulating layer not extending beyond the selected regions on the substrate, and the selected regions generally defining reflective regions (81) on the substrate and the regions outside the selected regions (82) generally defining transmissive regions on the

substrate.

Ozawa discloses the device comprising a pixel electrode 11 formed on the color filter.

Ozawa discloses the electrodes comprising a pixel electrode 11 and a common electrode 21.

In regard to the method claims, the method is merely providing elements for the transfective liquid crystal display device.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4, 11, 16 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ozawa et al as applied to claims 1-3, 5-10, 12-15 and 17-20 above.

The insulating layer extending beyond the selected regions on the substrate appears to be at least an obvious variation (i.e., not patentably distinct) the insulating layer not extending beyond the selected regions on the substrate. Thus, it would have been at least obvious to one of ordinary skill in the art at the time the invention was made to employ the insulating layer extending beyond the selected regions on the substrate, as it appears to be at least an obvious variation (i.e., not patentably distinct) the insulating layer not extending beyond the selected regions on the substrate.

Response to Arguments

5. Applicant's arguments filed 03/15/06 have been fully considered but they are not persuasive.

Applicant's arguments are as follows:

(1) Ozawa fails to an insulating layer formed on selected regions on the first substrate, the insulating layer having a reflective top surface, a color filter over the first substrate, including over the insulating layer at the selected regions, wherein a thickness of the color filter at the selected regions is thinner than that outside of the selected regions.

(2) The reflective layer disclosed in Ozawa is not the claimed insulating layer since the reflector layer comprises materials such as Al, Ag.

Examiner's responses to Applicant's arguments are as follows:

(1) Ozawa discloses an insulating layer (e.g., 4) having a reflective top surface 45 formed on selected regions on the first substrate, a color filter (81, 82) over the first substrate, including over the insulating layer at the selected regions, wherein a thickness of the color filter at the selected regions (81) is thinner than that outside of the selected regions (e.g., 82).

(2) The reflective layer (4) may function as an insulating layer having a reflective top surface, as shown in Ozawa. It is noted the present claimed invention in independent claims does not recite particular insulating material(s).

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan Ton whose telephone number is (571) 272-2303.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

May 24, 2006


T. GANTON
PRIMARY EXAMINER